

**Case Service Memo: 2006 – 04**  
**Subject: Provision of Transportation Services, Including Vehicle Modification and Purchase**  
**To: All Staff**  
**Issued by: Stacey Cummings, Program Director, Case Service**  
**Authored by: Kyle Walker, Program Director, Administrative Services**  
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*This supersedes all previous Case Service Memos related to transportation, motor vehicle modification, and USOR participation in motor vehicle purchases.*

**POLICY:** Transportation services, as detailed herein, must be **necessary, appropriate, and at the least possible cost** to the State of Utah.

### **1. General Definitions and Eligibility for Transportation Services**

- a. Transportation services are defined as travel and related expenses that are necessary to enable an applicant or eligible individual to participate in an approved vocational rehabilitation service. [34 CFR 361.5 (b)(57)]
- b. Transportation is **not a stand-alone service**, and must be provided only when necessary for the eligible individual to access other vocational rehabilitation services leading to employment. [34CFR 361.48(a)(8)]
- c. USOR shall pay the most economical rate for appropriate and necessary travel and travel-related expenses.
  - i. **First**, consideration shall be given to the appropriate use of existing individual transportation options including, but not limited to, the use of personal, family, or a friend's vehicle for travel to and from the approved vocational rehabilitation service or employment activity.
  - ii. **Second**, consideration shall be given to the appropriate use of public transportation options including, but not limited to, bus systems, light rail, and commuter rail for travel to and from the approved vocational rehabilitation service or employment activity.
  - iii. **Third**, when significant individual circumstances prevent the use of public transportation, the counselor must document a search for the most economical type of private transportation to and from any approved vocational rehabilitation service or employment activity. Private transportation includes: taxi, private van service, hired driver, and/or other arrangements.
  - iv. **Fourth**, when significant individual circumstances keep an eligible individual from using available public and private transportation, the counselor must document the justification to explore other options. When absolutely necessary and appropriate due to documented individual circumstances, USOR participation in a vehicle purchase may be considered. (See section 3 below)
- d. USOR shall not authorize normal transportation costs that are not directly associated with client participation in the vocational rehabilitation program or services. [34CFR 361.48(a)(8)]

- e. USOR does not generally authorize for routine maintenance (i.e., state inspections, tax, title, and license, registration, oil changes, other routine maintenance, etc.) or insurance payments for the consumer's vehicle, unless it is needed immediately to assure that the vehicle is safe and operable to transport the client to activities described in the individual's vocational rehabilitation plan (IPE).
- f. USOR shall approve payment only for transportation services that are a part of the IPE, are approved in compliance with agency and state policy, and are authorized prior to the date of travel.
- g. USOR shall not pay bad debts, liens, judgments, fines, tickets, court costs, towing fees, and similar expenses incurred related to transportation.

## **2. Transportation-related Assistive Technology and Vehicle Modifications**

- a. Counselors must immediately notify and consult with their supervisor at the first discussion regarding transportation related assistive technology (AT) and/or vehicle modifications.
- b. Once the counselor and eligible individual have determined that private and public transportation options are not suitable to the individual's needs due to specific disability-related requirements, consideration of AT and/or vehicle modification may be appropriate. In the event that the eligible individual already owns a motor vehicle, modification of the vehicle should be considered as a least cost alternative.
- c. Assistive technology assessments must be completed before a vehicle modification is considered because the needed AT may be affected by the type of vehicle owned by the eligible individual. Modifications and AT devices must be limited to the features required to address the functional limitations and adhere to industry safety standards. Assessments will focus on identifying the most cost-effective alternatives that meet a client's needs. When using Utah Center for Assistive Technology (UCAT) or other USOR qualified staff for evaluation purposes, the client must be advised that all evaluation-based recommendations are subject to approval processes and purchasing policies. Clients must be informed that evaluation staff serve in an advisory function only and do not have approval or purchasing authority. Vendors may occasionally be used as secondary consultants if recommended by UCAT (or other USOR qualified staff) but would provide only part of an AT assessment. The client must be advised that vendors have no role in the approval process or purchasing process. They cannot and should not give directions to clients about the approval or purchasing processes.
- d. Following the required AT assessment, a written report must be submitted to the counselor. It must contain the exact specifications and type of equipment needed to allow the client to access and drive the vehicle. The report may contain certain recommendations as to the make and model of the modification and/or AT devices needed. However, the purpose of the report will be to serve as a basis for the USOE Purchasing Agent or the Utah Department of Purchasing and General Services to put the purchase out for bid. The bid will be awarded to the lowest bidder who offers modifications and AT devices that will allow the client to use the vehicle safely. Requests for bids will not be made for a specific make and model. Instead, the bidder will respond to our specifications on what is required to "get the job done." It would

be possible for vendors to submit different products and prices. Through the process of informed choice, the client and counselor will select the make and model with the lowest price which will meet the client's need. Modifications, conversion, and AT devices will be limited to the least expensive options that meet the client's needs. Should a client, through informed choice, request an upgrade, improvement or similar alternative which exceeds the minimum qualifications above, the counselor may request an exception if the client agrees to make up the difference in cost (CSM 12.4, B). Purchase and installation, or participation in the purchase and installation, of vehicle-related AT including, but not limited to, van lifts and hand controls may be considered an appropriate VR expense. Up to the full cost of such devices, equipment, and installation may be considered. [34CFR 361.48(a)(18)]

- e. The counselor must ensure that agency approval levels are obtained as appropriate, and that all State of Utah purchasing regulations are followed throughout the process.
- f. An equipment receipt signed by the eligible individual must be obtained prior to the installation of AT or vehicle modification.

### **3. USOR Participation in Used and New Motor Vehicle Purchase**

- a. Counselors must immediately notify and consult with their supervisor at the first discussion regarding possible USOR participation in used or new vehicle purchase. All vehicle purchases require approval at the Case Service Coordinator level, regardless of cost, unless otherwise delegated in writing.
- b. Before thinking about participating in the purchase of a vehicle, other available and adequate public or private transportation options must be taken into consideration and used as appropriate. (See Section 1 above)
- c. The USOR VR program will consider participating in the purchase of a vehicle **only** when this option is considered to be necessary due to individual circumstances and the most economically feasible option to meet the ongoing employment related transportation needs of the eligible individual.
- d. Before deciding to participate in the purchase of a vehicle, the counselor and eligible individual must determine who the primary driver of the vehicle will be. That person must provide a valid driver license or provide evidence from the Department of Motor Vehicles (DMV) documenting the ability to become licensed to safely operate the vehicle. Generally, VR would purchase a vehicle only if it allowed the eligible individual to be the primary driver. The counselor must document that the client is insured, or can become insured, and must show how the individual will pay for ongoing insurance premiums.
- e. An AT assessment is required before consideration of possible USOR participation in a vehicle purchase. Clients must not order or purchase a vehicle prior to obtaining written USOR commitment and directions regarding VR participation. USOR will not participate in purchasing modified vehicles when the client has already selected and purchased a vehicle chassis without the required AT assessment.
- f. The counselor must follow the process for AT vehicle modification consideration detailed in section 2 above.

- g. The counselor will work with the client and, as necessary, UCAT staff or the AT Coordinator to locate a used vehicle that meets the client's needs as reflected on the written AT report. Access Utah should be contacted for assistance with this search. When a suitable used vehicle is located, the counselor should follow the procedure outlined in CSM 12.4 (E)(2), Used items costing more than \$2,000, after obtaining an estimate of the used vehicle from an expert source. This estimate must give the overall value of the modified vehicle and a separate estimate of the value of the conversion and AT devices in the vehicle. As emphasized above, the purchase must not be made until the assessment and bid process are complete. If a used vehicle meeting the needs reflected in the written AT report is not found, consideration may be given to purchase of a new vehicle. All USOR determinations about VR participation in the purchase of a vehicle must be in writing. Counselors must inform clients of this and, additionally, that the client must obtain the determination in writing prior to any commitment of funds. These must be signed by both the counselor and the client to be valid. No part of a purchase commitment of funds by a client may be paid by VR unless VR commitment has been determined and obtained in writing, in advance.
- h. USOR participation in the purchase of a used work-related vehicle, such as a light or heavy duty truck, a delivery van, or other special purpose vehicle intended solely for use related to an approved work-related VR service may be considered an appropriate VR expense when required as part of an approved IPE objective for self employment, hauling, delivery, or other specific work-related need. The USOR VR program will participate only in the purchase of a used vehicle unless none is available that fits the client's needs. In such documented cases, participation in the purchase of a new vehicle may be considered.
- i. Participation in the purchase of a used vehicle intended primarily for use related to an approved VR service and with some intended use for personal transportation. When full consideration of other available and adequate public or private transportation options does not show that this is an appropriate option, participation in the purchase of a used vehicle intended primarily for use related to an approved VR service and with some intended use for personal transportation may be considered an appropriate VR expense for those transportation costs directly incurred as the result of the IPE objective related to the approved VR service
- j. **Generally, VR will not fund the entire cost of a vehicle purchase.** However VR may participate in the purchase of a vehicle based on the allowable expense calculation outlined in the next paragraph.
- k. The amount of allowable expense is calculated by determining, or estimating, the work-related mileage plus mileage related to an approved VR service, as a percentage of the total annual mileage of the vehicle. An amount up to that percentage of the full cost of such a vehicle may be considered.

**Example:**

A person is seeking to purchase a used van that costs \$20,000. The anticipated VR-related use of the van is for transportation to and from school under an approved VR IPE. The round-trip mileage to school and back is 30 miles. The client goes to school 4 times per week for 36 weeks per year. The client's only other VR related use of the

vehicle is one 18 mile round trip per month to meet his counselor. The possible VR cost participation would be calculated as follows:

- i. 30 miles round-trip times 4 trips per week, plus one 18 mile round-trip = 138 miles per week
- ii. 138 miles a week times 36 weeks per year = 4968 total miles VR-related travel
- iii. 4968 divided by 15,000 estimated annual miles\* = 33.1 or 31%
- iv. 31% times \$20,000 = \$6624.
- v. \$6624 is the share of the cost that VR could pay.

\* NOTE: If the actual total annual mileage use of a vehicle is unknown, a standard estimate of 15,000 miles will be used.

When a vehicle requires the installation of AT, e.g., a van lift, up to the full purchase and installation costs of the AT may be provided in addition to the pro-rata amount for purchase. Therefore, when a used vehicle is purchased that is already equipped with AT, the full cost of that AT may be provided. Participation in the remainder of the cost of the vehicle may then be pro-rated based on the determined or estimated percent of use of the vehicle in use related to work or an approved VR service.